

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-61 are pending in this application. Claims 1, 21, 41, and 61, which are independent, are hereby amended. Claim 62 has been canceled without prejudice or disclaimer of subject matter. Support for this amendment is provided throughout the Specification as originally filed, specifically at page 30, lines 8-12 and Figure 3.

No new matter has been introduced. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §112, §101 AND §103(a)

Claims 1-61 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite.

Claim 62 was rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter.

Claims 1-3, 10-13, 30-43, and 50-62 were rejected under 35 U.S.C. §103(a), as allegedly unpatentable over U.S. Patent Application No. 2002/0164149 to Wilkinson (hereinafter, merely “Wilkinson”)¹.

Claims 4-9, 24-29, and 44-49 were rejected under 35 U.S.C. §103(a), as allegedly unpatentable over Wilkinson in view of U.S. Patent Application No. 2001/0043784 to Shirata et al. (hereinafter, merely “Shirata”).

III. RESPONSE TO REJECTIONS

A. Response to Rejections under 35 U.S.C. §112

Claims 1-61 are amended, thereby obviating the rejections.

B. Response to Rejections under 35 U.S.C. §101

Claim 62 is canceled, thereby obviating the rejections.

B. Response to Rejections under 35 U.S.C. §103(a)

Claim 1 recites, *inter alia*:

“wherein the second file of the second format includes a first metadata file and second metadata file, the first metadata file having metadata in file units and the second metadata file having metadata in frame units.” (emphasis added)

Applicants respectfully submit that Wilkinson and Shirata, taken either alone or in combination, fails to teach or suggest the above-identified features of claim 1. Specifically, nothing is found that discloses or teaches wherein the second file of the second format includes a

¹ Applicants note that U.S. Publication No. 2002/0164149 to Wilkinson was filed on September 4, 2001 and published on November 7, 2002. Thus, Wilkinson is 102(e) art and is disqualified under 35 U.S.C. §103(c). However, Applicants note that Wilkinson is a PCT Application that was published on March 14, 2002. Therefore, Applicants assume that the Office Action relies on the PCT publication.

first metadata file and second metadata file, the first metadata file having metadata in file units and the second metadata file having metadata in frame units, as recited in claim 1.

Claim 1 recites two metadata files of frame units and file units in the second file. None of the references discloses or suggest the above-identified features of claim 1. Therefore, independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, claims 21, 41, and 61 are patentable.

IV. DEPENDENT CLAIMS

Each of the other claims in this application is dependent on an independent claim discussed above, and is therefore believed patentable for at least the same reasons presented for the independent claim upon which it depends. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited references it is respectfully requested that the Examiner

specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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